

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

JUSTICE FOR MIGRANT FAMILIES,)
PRISONERS' LEGAL SERVICES OF)
NEW YORK, and ROBERT F. KENNEDY)
HUMAN RIGHTS,)

Plaintiffs,)

v.)

U.S. IMMIGRATION AND CUSTOMS)
ENFORCEMENT,)

Defendant.)
_____)

22-CV-929 LJV (HKS)

DEFENDANT'S STATUS REPORT

Defendant, U.S. Immigration and Customs Enforcement ("ICE"), respectfully submits this Status Report pursuant to the Court's April 25, 2023, Decision and Order (ECF No. 21 at 6). Since the issuance of the Court's Order, ICE has processed approximately 10,000 pages of records over the course of 18 interim releases. ICE will continue to make monthly productions to Plaintiffs until the productions are complete. ICE estimates that there are approximately 11,000 additional pages of potentially responsive records remaining to process.

On June 14, 2024, ICE filed a Motion to Use a Representative Sample *Vaughn* Index (ECF No. 33). On August 28, 2024, the Court issued a Decision and Order (ECF No. 39) granting ICE's motion.

ICE'S PROCESSING AND PRODUCTION OF RECORDS

Since ICE's last Status Report to the Court on June 14, 2024, ICE has made two additional productions of records to Plaintiffs. Each production has included an Interim Release Letter stating

the number of pages of potentially responsive records processed since the previous production and the number of pages being released in full or in part. The Interim Release Letters also identified the specific Freedom of Information Act (FOIA) Exemptions applied to each production.

- On July 16, 2024, ICE sent Plaintiffs its Seventeenth Interim Release Letter, stating that it had processed 514 pages of potentially responsive records and included its seventeenth production.
- On August 21, 2024, ICE sent Plaintiffs its Eighteenth Interim Release Letter, stating that it had processed 514 pages of potentially responsive records and included its eighteenth production.

ICE will continue to process at least 500 pages per month and produce all relevant documents until its productions are complete.

VAUGHN INDICES

On July 1, 2024, ICE sent Plaintiffs a *Vaughn* Index associated with ICE's June 2024 production, which was based on a random sampling of every twenty-fifth page. On September 12, 2024, ICE sent Plaintiffs two *Vaughn* Indices associated with ICE's July and August 2024 productions, based on a random sampling of every twenty-fifth page. ICE will provide *Vaughn* Indices retroactively for previous productions with future Discovery Updates as they become available.

CONCLUSION

Consistent with the Court's April 25, 2023, Order, ICE will submit another Status Report on December 16, 2024.

Dated: September 16, 2024

Respectfully submitted,

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